

COCLJ AUTOMATION ADVISORY COMMITTEE
MEETING – January 14th, 2010
Helena, Montana

MEMBERS PRESENT:

Karen Nelson, Supreme Court Administrator's Office
Chairperson Judge Larry Carver
Judge Gregory P. Mohr
Judge Johnny Seiffert
Sharon Skaggs, Yellowstone County Justice Court
Jennifer Boschee, President of MJC&MCCA
Lisa Mader, Court Administrator's Office

MEMBERS PRESENT BY PHONE CONFERENCE:

Sheri Bishop, Gallatin County Justice Court

MEMBERS PRESENT BY VISION NET:

Barbara Pepos, Richland County Justice Court/Sidney City Court

MEMBERS NOT ATTENDING:

Judge David Ortley, Flathead County Justice Court
Thelma Keys-Nicol, Kalispell Municipal Court

Meeting was called to Order by Chairperson Larry Carver at 9:15 A.M.

APPROVAL OF NOVEMBER 13, 2009 MINUTES

A correction to the minutes was that Brenda Nordlund is with the Department of Justice, not the Attorney General's Office. Judge Carver wanted it noted in the minutes that the committee members applauded the job done by Barb on the minutes of meetings. Judge Seiffert made a motion the minutes be adopted with the correction, seconded by Sharon and the minutes were approved. Judge Carver asked that these minutes be put on the Website and that the Website be updated with correct information regarding current members of various committees.

PUBLIC COMMENT:

None

JUDGE LARRY CARVER UPDATE:

Judge Carver met with Fish, Wildlife & Parks the day before and reports that the process of recoding the violations is moving along. The Fish, Wildlife & Parks department is very excited about a database of records that can be accessed by Judges and prosecutors. They noted that so far there are 5 courts in the State electronically transferring their dispositions. Judge Carver asked Jennifer Boschee to contact the clerks and remind them of the availability of transferring data electronically. Lisa commented that their department is working on Best Practices for the clerks and judges and automated e-courses, so this might be a good example.

Judge Carver went on to say that Fish, Wildlife & Parks wanted to know what they could do to help this project get automated. He advised them due to the fact funding is now in place for records transfer with Driver Improvement, that project must get completed first.

The State –vs- Mark Alan Brown Supreme Court case 2009 MT 452 was discussed with Judge Herman and Judge Herman believed there was no need now for an Attorney General’s opinion on the Public Defender costs. The Commission on the Courts of Ltd. Jurisdiction has this issue on their agenda at their meeting on Friday. However, at the last commission meeting when this issue was discussed, District Judge Harkin, Professor Peggy Tonen and Attorney Shawn Donovan (County Attorney representative) agreed that the fee table should be left as is.

Sharon Skaggs from the Yellowstone County Justice Court said their fee distribution tables were changed to reflect the interpretation made by Judge Herman and she suggested that the committee discuss this with Claudia as to what changes were made. Sharon inquired if the minutes of the Commission meetings are posted as she was unaware of the COCLJ decision to leave the distribution as is.

DISCUSSION OF STATE –VS- BROWN:

Judge Carver wanted to discuss the question of Justice Nelson stating in that decision: “However, we further hold that because of the specific OSPD statutes, § 46-8-114 MCA, in particular, the clerk cannot allocate those funds as provided in § 46-18-251(2), MCA. Instead, the clerk must transmit all of the funds earmarked as reimbursement for court-appointed counsel to the OSPD and the OSPD must deposit those funds into its trust account in the State special revenue fund as provided in § 47-1-110(2)(a), MCA.”

Judge Mohr said the answer is under 46-8-113(1), which states:

46-8-113. Payment by defendant for assigned counsel -- costs to be filed with court.

(1) As part of or as a condition under a sentence imposed under the provisions of this title, the court shall require a convicted defendant to pay the costs of counsel assigned to represent the defendant as follows, except as provided in subsections (2) and (3):

- (a) in every misdemeanor case, \$150; and
- (b) in every felony case, \$500.

(2) Costs must be limited to costs incurred by the office of state public defender, provided for in [47-1-201](#), for providing the defendant with counsel in the criminal proceeding. If the criminal proceeding includes a jury trial, counsel assigned by the office of state public defender shall file with the court a statement of the hours spent on the case and the costs and expenses incurred and, except as provided in subsection (3), the court shall require the defendant to pay the costs of counsel and other costs and expenses as reflected in the statement.

(3) The court may not sentence a defendant to pay the costs for assigned counsel unless the defendant is or will be able to pay them. In determining the amount and method of payment of costs, the court shall take into account the financial resources of the defendant and the nature of the burden that payment of costs will impose.

(4) A defendant who has been sentenced to pay costs may at any time petition the court that sentenced the defendant for remission of the payment of costs or of any unpaid

portion of the costs. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may remit all or part of the amount due in costs or modify the method of payment.

Therefore, Judge Mohr said that the **sentencing Order will say that the Defendant is ordered to pay costs**, in the amount ordered as per their ability to pay and they make the payments directly to the OSPD (Office of State Public Defender). Judge Carver asked how you handle a situation where the Defendant comes in with \$50 in cash and it is reimbursement for his public defender. Judge Mohr said the sentencing order would take care of that problem by stating that the defendant must pay the public defender and not send the money to the court. Judge Seiffert inquired what if the court wanted to receive the payments, so it can keep track of the reimbursement amount.

Judge Carver discussed 46-8-115, Effect of Non Pay – the court on motion of the prosecutor or on its own motion may require the defendant to show cause why the default should not be treated as a contempt of court and may issue a show cause citation or an arrest warrant requiring the defendant to appear. Judge Mohr believes the OSPD would need to notify the prosecutor of non-payment. Judge Carver wanted to know how to handle the situation where there is one court that wants to accept the payments and how do they distribute it to the OSPD. Sharon suggested a category for Misc. payment, from which a check could be issued to the OSPD. Sharon noted that the Supreme Court decision does not state that the funds are distributed through the Treasurer of the County.

Karen Nelson noted that the OSPD asked the courts to collect the funds and distribute it to the OSPD. She believed there has been a change now that the OSPD does not want the funds run through the court. It was her opinion that the order would say the defendant must pay the OSPD and send them a copy of the sentencing order.

Judge Carver said that if Best Practices is to issue a sentencing order with instructions to pay directly to the OSPD, how do the courts handle a situation where the \$150.00 is received in their court? Sharon said in her court if the defendant insists on paying at their office, the funds are receipted and then a check is generated and mailed directly to the OSPD. Judge Mohr said it is similar to the Driver Improvement reinstatement fee, in which the courts hand the defendant a form, advising them to send that fee to Driver Improvement directly. Judge Mohr said before this Supreme Court decision, they relied on 46-18-251 MCA, however, now the courts have guidance of how to handle those costs of counsel.

Judge Mohr believed the form is the Best Practices. Then, the OSPD would notify the prosecutor if someone is not making their payments as agreed. Judge Herman's form was distributed to the committee, it is titled: ORDER AS TO COSTS OF COUNSEL. It is very clear and concise as to how the defendant pays the costs of counsel to the OSPD. Judge Carver agreed that having this form is the best way to handle it. Sharon again suggested a category of MISC PAYMENTS, in the rare case where a court gets the funds for the OSPD and needs to get that money to them, as well as keep a paper trail for the

auditors. Judge Carver said it is his experience that very few public defenders are even asking for these costs of counsel to be added to the sentencing order. Jennifer said that so far there have been no requests in her court. Sharon said their procedure is to include a copy of the Order as to Costs of Counsel in the file when the Defendant is either changing his plea or going to trial. Judge Herman does not wait until a Public Defender requests the reimbursement, but does it automatically in his sentencing order. Judge Mohr stated he remembered Randy Hood stating they would only be requesting the reimbursement if the case went to trial. Judge Carver said so far only 5 courts have requested a change in the program, so they could collect the fees.

Judge Mohr made a motion to follow the statute, adopting an Order similar to Judge Herman's Order. The defendant is ordered to make the payment directly to OSPD. In addition, Judge Mohr stated in the case where money is received in the court, the MISC PAYMENTS procedure as explained by Sharon be used and a check issued directly to the OSPD. Sharon seconded the motion made by Judge Mohr. Motion was passed by the committee.

The committee would return to the form, following the HP citation import project discussion.

HIGHWAY PATROL CITATION – MAJOR BUTLER:

Karen Nelson stated that a group has been working hard on the citation import project. The citations will be imported using the JSI Program and extends it so that there is an electronic copy of the citation and a case is initiated in Full Court. Karen introduced Marty from her department and Norma Elyltew. Susan Engle is in attendance who is Norma's Department Head at the Department of Justice. Sgt. Kenney is here and Major Butler with the Montana Highway Patrol.

Marty explained that the process will begin with the MHP writing citations, with the information going into their Smart Cop citation. Each day Norma is responsible for collecting that information and providing it to the Supreme Court IT staff. In addition, Norma is providing an image of each citation written. Marty then develops the court specific files, which the court will import into Full Court. Once the citations are imported into the Full Court program, a ROA is produced and the clerk is able to attach a Citation Image to that ROA.

Lisa gave a demonstration of the process with the Yellowstone County Justice Court database. A set of specific directions has been drawn up which will walk the court through the process. Lisa explained the reason why there were 5 errors due to a difference in the statute tables and, therefore, these citations could not be imported. Right now when this happens in the Yellowstone Co. Justice Court with the Sheriff's Department imported citations, the clerk will manually enter those citations. Marty felt that when the new Bond Book is completed, this will clear up that problem.

Judge Carver said the next and final meeting on the Bond Book is scheduled for February 12th, with Judge Herman as chair of that committee. Lisa said for her

Department there is the book side of the Bond Book and then there is the statute table side of the new Bond Book. They hope to have the project wrapped up by the end of February. Judge Carver said conservatively it could be 60-90 days before all the courts receive the new Bond Book information.

Marty explained to the committee that Officer ID #'s are being used in the Citation Import and, therefore, no problems will occur in this field, as Officer ID #'s used by the MHP are unique to the Officer and are not assigned to another Officer should someone retire.

Major Butler was somewhat concerned with the amount of citations that would not import due to improper statute. Norma said this would be corrected by the time they start importing, as they will verify all the statutes with the Supreme Court statute fields. Karen Nelson explained that the statute tables have to match exact, so these problems could be as simple as an extra space in the statute. Judge Carver said that when the new bond schedule comes out, theft will be about 3 pages long, due to the different categories under theft, such as whether the defendant used it, concealed it, or abandoned it and violations such as fraud, theft of hoofed animal and embezzlement.

Judge Seiffert wondered if when entering MHP tickets, that you drop the 510 before the ticket number? The members said that you do drop the 510 and the system will identify MHP tickets by the Officer, not by the prefix to the ticket number. Karen noted that the committee was concerned about probable cause when tickets were e-filed. She believed the process they were showing makes it necessary to review every citation before they are e-filed. Further she felt the method they have developed models the manual process of ticket filing.

Marty explained there is a double check in the system to make sure that the proper charge is attached to the right citation. This is an automatic procedure done in their office. If they find a mistake, they will immediately notify the court of the problem. Lisa said that an excel spreadsheet is provided, which would show any citations where bond had been collected. Again, this is a manual process that would require the clerk to move the bond to the proper citation. Sharon said that they have asked the MHP to not accept bond on these electronically filed tickets at this time, until the MHP has completed their payment side of Smart Cop.

Karen agreed that when bond is received, the electronic process would have to have the citation and bond received in the court at the same time. This is referring to the roadside payment process that they are working on with Smart Cop. As soon as CitePay is up and running, defendants will have the option of paying the ticket on line, which will automatically update Full Court. Norma wondered how they would notify the Officers to not accept bond on a citation. Judge Seiffert wondered if advising them to not accept any bond, would create a problem with a defendant who is from another state and just wants to pay the ticket and move on.

Major Butler said that during this test process, they were not going to accept bond on these tickets. Right now, Sharon said that when an out of state person gets a speeding ticket and does not pay it, they send the defendant a notice that his DL can be suspended for non-payment. Sharon provides the Officers with envelopes which have the court mailing address to give defendants. Norma wondered if this whole problem with bond would go away once the officers are able to accept a credit or debit card. Everyone agreed that when that time comes, it will be a big improvement.

Marty wanted the committee to address 2 issues:

1. **Voided citations.** What will be done with a voided citation? Judge Seiffert stated that once a ticket is filed, it is filed. The proper procedure must be followed to get it dismissed. Sharon said in her court the Officer would have to go through the County Attorney's office and make a motion to dismiss. Judge Carver believed in the real world of checks and balances, when a ticket is voided, it should have to be dismissed through the proper process.

Major Butler explained how an Officer could want a ticket voided if he wrote the defendant into the wrong court. The supervisor is notified of the voided ticket and a new ticket is issued, which most of the time will need to be served again on the defendant. In addition, the court would be notified of the error.

Judge Seiffert said that the court cannot void a ticket. Sheri Bishop also stated that a motion to dismiss would have to come from the county attorney's office. Sharon also said that no tickets are voided; only dismissed upon motion of the county attorney. Norma said that if the ticket is filed in the wrong county, only the proper court will receive a copy of the new citation issued. Again, **Judge Carver advised that judges do not void tickets, nor amend them. There is a legal process that must take place before this can be done.**

2. **The second issue deals with a "felony" citation.** Major Butler said not only a felony citation, but requests for prosecution. In Ravalli County, a report must be filed on a felony; they do not allow a citation to do this. Judge Carver said the problem is that there are two ways to file a felony. It can be filed in a Justice Court with the local judge seeing the Defendant and giving him/her the appearance date and time in the District Court. The other method is a direct filing in District Court, called an Information. The Information basically is a probable cause statement, allowing a felony charge to be filed. Judge Mohr believes the difference is a local custom procedure. Major Butler said that to get the felony charges on the server, a citation must be issued and then that citation will be electronically filed in the court.

Karen said that right now, all courts are using Full Court. Her office is able to identify any felony charge either through the District Court, or the MANS #. Karen said that when a person is charged with a felony, they must be fingerprinted and have a MANS #. Judge Carver advised that when he would ask the jail to print and photo someone, the jail refused to do so because the defendant had not been arrested. Karen stated their office

should be able to link a felony charge even if it did not come in on a citation. Judge Carver explained that when a citation is entered into Full Court, the officer's number is entered, however, when the Information is filed in District Court and the defendant is charged there, the officer is shown as a witness. Therefore, the District Court may not know who the Officer is.

Major Butler stated his department would like to issue citations on all felonies. Sharon said that right now, her court does not see the felony tickets. They are written and the officer takes them to the county attorney's office. Sharon said another problem is when multiple citations are issued, where 3 are cited in their court and the fourth one is a felony. Sharon was not sure her court wanted the responsibility of getting the paperwork to the District Court. **The problem appears to be in determining how each county wants to handle the felony citations.**

Judge Seiffert advised the committee that all felony violations are filed as citations with his court. He also must have a probable cause statement with the citations. The District Judge in his county is only in court once per month. In the more rural counties, most felony cases will be filed in the lower courts. If it was not done in this manner, defendants could sit in jail for a considerable amount of time before being seen by a Judge.

Major Butler again asked if the felony citations are electronically filed in the Yellowstone County Justice Court what sort of problems could occur. Sharon said they would need the County Attorney's office to be involved in this discussion. Major Butler said what would happen if an Officer wrote someone a 4th offense DUI ticket, and then later on, he is charged with a lesser offense. Judge Carver said that particular problem happens now and is not just an electronic filing issue.

After some discussion, it was decided that it would not be the responsibility of a clerk or an IT person to determine if a case was filed as a felony. Sheri suggested that a "felony" box be put somewhere on the citation and this could be used as an identifier as far as what courts want the felony citations filed and which courts do not. Gallatin County accepts all felony citations, which are then bound over to the District Court. Judge Mohr believes the County Attorney's Association needs to be involved, asking them to come up with the "Best Practices" for the filing of felony cases.

Judge Mohr explained that when someone is in jail on a warrantless arrest, they must be seen by the Judge within 48 hours to determine the probable cause to hold the Defendant. Further, he explained there are pro-active County Attorneys and re-active County Attorneys. Some of the re-active County Attorneys want all the facts before them so they can file the Information in District Court. In addition, the County Attorney's office may be too busy to get to the case right then, which would affect how they want felony cases filed. The statute that deals with this is 46-11-201 Leave to File Information.

Major Butler said he believed they are on hold right now. Sharon said that they can still go forward with the test site, after they get in touch with the office of the County

Attorney. Sharon also said her Judges need to be involved in this decision. Judge Seiffert asked if the Smart Cop program can block an electronic transfer, should the charge designate it as felony.

Judge Carver stated that this committee cannot tell every County Attorney how to file their felony charges. Discussion was how can every county be contacted in this regard and will those decisions stay the same once someone new is elected to office. Karen Nelson did advise Major Butler that once these policy issues are resolved, everyone is ready as far as the technical resources go to move forward with the import of the citations into the Yellowstone County Justice Court.

Karen Nelson said that a fix later on down the road may be that the **Officer has the ability on his end to either file the ticket electronically, or not to file it electronically**. It could be as easy as a button. Judge Carver also wanted the Highway Patrol to know that they may run into the problem where a court does not want to receive their citations electronically. Choteau County currently does not use their Full Court program. The Judge in that County is a very good and knowledgeable judge, but he may never be willing to use the Full Court program. Karen said that a court may make the decision to not use Full Court, but if a court uses Full Court, then a standard can be set as to the procedure that must be followed.

In addition, Marty has set up a program where he will notify a court if they have not picked up their citations within 3 days of them being electronically sent. Karen said, however, there needs to be an agreement as to who is going to monitor the situation if the computer system goes down and the citations are not transmitted. Marty believes that the procedure then should be handled manually. Judge Seiffert said that if someone is arrested in his County, he is notified immediately. Even **if the arrest happens on the weekend, Judge Seiffert must establish the probable cause within the 48 hours time line**. This is the policy in about half of the courts in the State of Montana. Judge Carver said that by doing the test site first, they hope to learn what works and then rules can be developed.

Judge Seiffert wanted to make sure it is understood that communication still needs to be kept open, and automation will never replace this. Judge Seiffert said that even if the citations are electronically filed over the weekend, he is not going to his office until Monday AM, therefore, he still needs to be notified if an officer puts someone in jail over the weekend. Judge Carver advised that the committee is not changing the procedures; the only thing that will change is how the citation is received in the Court. The benefit to this for the Officer is that he will not have to personally visit each court and hand in his tickets. The benefit to the court personnel is having less entry work when the citation is filed electronically.

Karen wants the system kept as simple as possible, in other words not a county by county process, but perhaps give the officer the option of not filing the citation electronically. In addition, she never wants to see a felony case fall through the cracks because someone in IT got it wrong. Judge Seiffert noted that the **ROA showed if the citation was**

electronically filed. Therefore, this information does not need to appear on the citation itself.

Sharon inquired if the 5 tickets not filed due to errors have an image attached, therefore, allowing them to download those citations and fix the problems immediately. Lisa said that yes, they are always available to the court. Karen wanted to really watch the citations that are coming through with errors, so that those errors are permanently fixed, whether their department needs to fix something, or the MHP system needs to be fixed. Judge Carver wanted to know who would be contacted if a ticket could not be filed due to officer error. Sharon said they would print out the citation, and if they can't fix it on their own, then they would call the officer to fix that problem.

Lisa said that section 61-6-302(2) did not match their statute table. Judge Mohr believes that is because that section pertains to sentencing, not the actual violation of not having liability insurance in effect. This section (2) states that the citation is dismissed if the owner shows proof of insurance. Subsection (1) is the actual violation. Major Butler noted that his statute table has a different manner of listing whether the violation is the 1st, 2nd, or 3rd or subsequent. This is an area where the statute tables must match exact. The bond book will need to be changed to reflect 61-6-302(1) as the actual violation. It is important to note that the Bond Book and the statute tables are tied together. If there is something wrong in the Bond Book, it needs to be looked at, so the statute table is corrected also.

PUBLIC DEFENDER FORM:

Judge Mohr said the form is an exact match of the statute and this order is subsequent to the sentence, therefore, jurisdictional limits on enforcement would be through civil procedure. Judge Mohr said the form would be used at the end of a change of plea or trial and it would be good to have the Defendant sign that he received a copy of it. If for some reason a defendant is not in front of the court, this information could be included in the filed Plea Agreement.

Judge Mohr made a motion that the ORDER AS TO COSTS OF COUNSEL form be accepted for use in the courts, with a second by Sheri Bishop. The committee unanimously voted to accept the form.

NEW DL SUSPENSION FORM:

The committee looked at the form presented to the committee by Driver Improvement. Sharon wondered why the form wanted an individual listing of charges, instead of the case number. Karen Nelson did not know why that was changed, but she believed Full Court suspended at the charge level. Judge Carver stated that the form per statute is to be supplied to the courts by Driver Improvement. Judge Seiffert requested that the Basis for Suspension be changed in the manner that was used on the old form. Under the box of Court Case/Docket Number the recommendation was to change to just Case #. The committee was going to try to reach Greg Noose for his explanation on the changes. Judge Carver advised the committee that Greg Noose had mentioned previously that some states do not suspend on some of the charges that the State of Montana allows. One

example is if Montana suspends on Fish, Wildlife & Parks, there are many states that will not accept that type of suspension. Judge Carver would talk to Greg Noose about the recommended changes from the committee. At the bottom, the white, yellow and pink copies should be eliminated.

KAREN NELSON UPDATE:

In November and December her department did meet with JSI regarding Enterprise. They spent about 1 ½ weeks with the tech team of JSI, figuring out how to configure Enterprise in the State of Montana. She does not believe it is ready for the State of Montana yet. Karen will ask this committee and possibly sub-committees to look at the various parts of the Full Court program – such as financial, overdue, etc. There will be a big conversion project involved as well.

Karen also stated that they ran into an issue where some courts had inadvertently put in the full credit card number on some of their receipts. Lisa had drafted an e-mail to go out to these courts. There are 25 courts involved, which includes both the District Courts and Ltd. Jurisdiction Courts. Judge Carver wondered if a program change could be made to take care of this issue. The JSI program will purge the information if they find a full credit card number. Karen noted that there may be a new version of Full Court released to take care of this problem. The suggested change is to not allow the full credit card number to be entered, but just the last 4 digits.

After some discussion, Karen agreed that the courts should be contacted and advised that the full credit card number was found on their database. Judge Carver wanted it to be very clear that only the last 4 digits of a credit card number are entered in Full Court. This should also be shown on the “Best Practices” site. Cite Pay does not store the credit card numbers at all. Judge Seiffert believed this is a training issue as well.

Lois sent the CitePay agreement to the Chief Purchasing Attorney and they have not received a reply on that issue. Judge Carver said that he is issuing more Warrants and he is hoping that CitePay will alleviate some of that.

Judge Carver stated that the e-filing rules will not be addressed at this meeting, due to time limitation. He believes that the e-filing rules will take at least an entire meeting, or two. Karen felt that they may need a special work group for these e-filing rules. Judge Mohr agreed that all the players should be included.

Jennifer brought an example of the cards that they hand out. She felt a card could be used at the jail when it came to what fields were needed on CitePay. The Defendant would need to advise the person who wants to post bond at CitePay what information they need to get to the proper court and proper case.

IMAGING DEMO-RULES:

An imaging demonstration was shown to the committee. The District Court imaging program was used in the demonstration. Imaging deals with creating a document in Full Court, putting it in an image and indexing it to the case. Scanning on the other hand means any document in the file can be scanned to the case and viewed at a later time. Scanning is taking place in some courts in order for them to do away with the paper file. There may need to be a “Best Practices” for this procedure.

Claudia demonstrated the doc codes that are being used in the ROA field for the image to be attached to. It is recommended that the entire title be typed following the doc code. Claudia wants everyone who does Image to remember SSI. SCAN, SAVE AND INDEX. Claudia demonstrated all the tools in the Image program. A document which has been imaged can also be sealed, if necessary. The redaction tool was demonstrated. In the Full Court tables, if the attorney’s e-mails are listed, then you can e-mail right out of the case.

If you are imaging a document out of your Full Court documents, save the document first, before you Image it. If you do not save the document with the changes, when you image, all you are going to get is the document template imaged. Lisa said that the courts should Image the Fish, Wildlife & Parks loss of privileges and the DL suspension forms. In other words, save the document once you have put the necessary information on it and then Image the document to the case. From that point, you can e-mail the form to the proper Department, whether Fish, Wildlife & Parks or Driver Improvement.

Sharon said that electronic signatures need to be approved and added to the forms, so that saving and imaging the forms would be a good way to keep the record. If you want to see the images that you scanned, you have to be in the case and click the image button. When you e-mail an image out of the case, the ROA documents the entire process as well for record keeping. Claudia showed the Full Court e-mail address book. You can go to agencies and add e-mail addresses to attorneys, officers or just their agency, or bail bonding companies. Claudia said if you are e-mailing an attorney and the attorney’s secretary, just type your 1st e-mail address and then add a semi-colon, space – add the additional e-mail address and both people will receive the e-mail.

Karen said that when the courts all move to scanning, there needs to be standard ROA Codes in place. If the doc codes are generic, it makes it so much easier to gather up that information. Judge Carver said that the Bench Book would contain the documents that the courts generate. Claudia wanted to point out that an ROA code can be set up to close a case, or unseal a case when a specific ROA code is picked. Claudia demonstrated Case Mail and once the e-mail is sent, a ROA code is also created. Sharon advised that they do have agreements with the attorneys on corresponding through e-mail.

The committee decided that there should be standard ROA codes established, as well as an establishment of “Best Practices” for imaging and scanning. Lisa said that they need a specific set of controlled ROA codes. Sharon said if there is no specific ROA, it goes into minutes or Misc. and they do this because they are scanning all documents. Claudia said that Gallatin County scans the tickets to TK NEW. Judge Carver wants the

committee members to be familiar with imaging and scanning. Karen said there is a big difference between document management and records management. Records management is the archiving of documents. What they are looking at here is the document management system. The Court Administrators office is not in the records management business at this time.

NEXT MEETING:

Judge Carver believes a separate meeting will need to be set for e-filing rules. Karen would like to see the next meeting in March, and having on the agenda a draft recommendation for document management with some standard doc codes, a draft of e-filing rules and have all parties that were talked about at the meeting, plus get a report on the progress of the electronic filing of tickets from Sharon and an update on Cite Pay. March 19th is the date for the COCLJ meeting in Helena.

Next Automation Committee meeting is scheduled for:

FRIDAY, MARCH 12TH, 2010 AT 9:00 A.M.

Karen gave the committee a DUI report that she put together. The Law & Justice interim committee is currently studying DUI charges. This was a draft report of over 17,000 DUI charges from January 2008 through December 3rd, 2009. Karen sent the report to several people to get some feedback on the method of obtaining this information, and she would like some feedback from this committee as well.

Meeting was adjourned at 4:00 P.M.

Minutes prepared by member, Barbara Pepos